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Date: November 16, 2005

Attention: Mark Huff

Re: Appl. No. 10/735,658; Filed 12/16/03  
For: Non-Absorbing Reticle and Method  
of Making Same  
Inventor: Andrew W. McCullough

From: Michelle K. Holoubek

Pages (including cover sheet): 5

Your Reference: Application No. 10/735,658

Fax No: (571) 273-8300

Our Reference: 1857.1220002

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## Message

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November 16, 2005

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Commissioner for Patents  
PO Box 1450  
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Art Unit 1756

Via Facsimile

Re: U.S. Utility Patent Application  
Application No. 10/735,658; Filed: December 16, 2003  
For: **Non-Absorbing Reticle and Method of Making Same**  
Inventor: Andrew W. McCullough  
Our Ref: 1857.1220002

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Credit Card Payment Form (PTO-2038) in the amount of \$130.00 to cover the Terminal Disclaimer fee;
2. Terminal Disclaimer to Obviate a Double Patenting Rejection over U.S. Pat. No. 6,686,101;

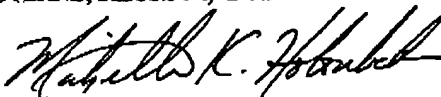
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
November 16, 2005  
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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Michelle K. Holoubek  
Attorney for Applicant  
Registration No. 54,179

MKH/kmh  
Enclosures

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PTO/SB/26 (09-04)

Approved for use through 07/31/2008. OMB 0851-0031

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REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

1857.1220002

In re Application of: **Andrew W. McCullough**Application No.: **10/735,658**Filed: **December 16, 2003**For: **Non-Absorbing Reticle and Method of Making Same**

The owner\*, ASML Holding N.V., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,686,101 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 33,876

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Signature

11/16/05  
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